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U.S. District Court  
Court Clerk/Clk  
Honorable David G. Larimer  
100 State Street  
Rochester, N.Y. 14614

Re: 03-25-6033-L

June 5, 2020

Dear Judge Larimer,

This is an update to inform the Court that a 48 year old prisoner Mr. Cook died today here at F.M.C. Lexington prison. We now have had over 300 cases at this prison, with at least 5 reported prisoner deaths.

As for the BOP - this Facility is maintaining second place. There were over 20 new prisoner cases here last week. In fact this prison is worse than the Elkton, Ohio prison, Danbury, and Oakdale.

The circumstances at FMC Lexington represent a population that is becoming infected at increasingly higher rates and a facility that is without a clear plan on how to decrease the dangers of COVID-19 or its infection rate among its prisoner population.

Recently a district court judge in Indiana noted that the Government's argument that FMC Lexington was an appropriate place for [Mr. Powell] to receive medical treatment was undercut by the fact that Mr. Powell was infected with the virus while in the BOP's custody, despite the fact it had a Pandemic Influenza Plan in place since 2012." See U.S.A. v. Damon Powell, 1:16-cr-00152-JMS-MJD (DKT# 57 at 11, citing Dkt. 54 at p. 4 (S.D. Indiana).

The Court went on to specifically find the BOP's response to COVID-19 in Lexington "is neither successful nor effective" when considering the risk presented to Mr. Powell. *Id.*

While I was originally sent to this low security prison as a result of my good behavior, and rehabilitation once here I was diagnosed with NASH Liver disease. This was determined after having issues with my heart. Clearly, I am in danger of death if I were to contract COVID-19.

If the Facility were to test all of the prisoners the numbers would sky rocket. It is easier to not test prisoners, and pretend that things

are getting better. But when 48 year old prisoners die from COVID-19 people should question what is going on here. The Governor of Kentucky has, but the administration here balk at any suggestion to test all prisoners, and staff.

Currently, I am hand writing a class action law suit on behalf of myself and the sick elderly prisoners with non-violent crimes that should not die here.

Respectfully,  
